

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of

Inventor: Machold et al.

Divisional of Serial No. 09/707,257  
filed November 6, 2000

For: METHOD AND SYSTEM FOR  
CONTROL OF A PATIENT'S BODY  
TEMPERATURE BY WAY OF A  
TRANSLUMINALLY INSERTABLE HEAT  
EXCHANGE CATHETER

Prior Examiner: Robert L. Nasser

Group Art Unit: 3736

Client ID/Matter No. RADME-64795

**Express Mail Label No. EV 327058775 US**

August 20, 2003

**INFORMATION DISCLOSURE STATEMENT**

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

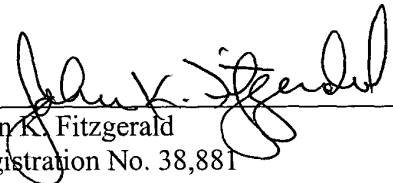
The documents listed on the enclosed form PTO-1449 (Modified) have come to the attention of the applicant and are submitted to the Office under 37 C.F.R. § 1.97. As provided under 37 C.F.R. § 1.98(a), copies of the listed references have not been enclosed because the information listed on Form PTO-1449 (Modified) was previously cited by or submitted to the Office in related application U.S. Serial No. 09/707,257, filed November 6, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. However, should the examiner wish to receive copies of these references, applicant will provide them upon request. Applicant respectfully requests that the foregoing citations

considered and made of record. This statement is not a representation that all of the information cited is necessarily effective as prior art against the present application or that a prior art search was performed.

This Information Disclosure Statement is being submitted pursuant to 37 CFR 1.97(b)(3), and therefore no fee is due. However, if a fee is in fact due, the Commissioner is authorized to charge any additional fee(s) to our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:   
John K. Fitzgerald  
Registration No. 38,881

JKF/RCS:mmm/gbr

Enclosures: Form 1449 (Modified) (8 pgs.)

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6060 Center Drive, Tenth Floor  
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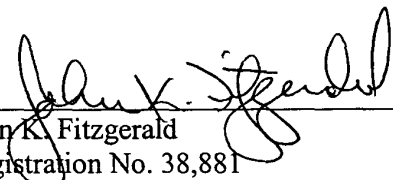
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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT Page 1 of 8				Applicant: Machold et al.			
				Filing Date:		Prior Art Unit: 3736	
<b>UNITED STATES PATENT DOCUMENTS</b>							
*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing Date (if applicable)
		2,308,484	01/19/43	Auzin et al.			
		3,425,419	02/04/69	Dato			
		3,726,283	04/10/73	Dye et al.			
		3,788,328	01/29/74	Alley et al.			
		3,995,617	12/07/76	Watkins et al.			
		4,014,317	03/29/77	Bruno			
		4,038,519	07/26/77	Foucras			
		4,111,209	09/05/78	Wolvek et al.			
		4,246,932	01/27/81	Raines			
		4,298,006	11/03/81	Parks			
		4,393,863	07/19/83	Osterholm			
		4,445,514	05/01/84	Osterholm			
		4,445,887	05/01/84	Osterholm			
		4,445,888	05/01/84	Osterholm			
		4,446,154	05/01/84	Osterholm			
		4,446,155	05/01/84	Osterholm			
		4,450,841	05/29/84	Osterholm			
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		4,470,407	09/11/84	Hussein			
		4,540,402	09/10/85	Aigner			
<b>FOREIGN PATENT DOCUMENTS</b>							
Exr's. Init.	Cite #	Document No.	Date	Country	Class	Sub	Translation? Yes    No
		WO 91/05528	05/02/91	Granulab B.V.			
Examiner				Date Considered			
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		4,657,532	04/14/87	Osterholm			
		4,661,094	04/28/87	Simpson			
		4,662,383	05/05/87	Sogawa et al.			
		4,672,962	06/16/87	Hershenson			
		4,686,085	08/11/87	Osterholm			
		4,701,166	10/20/87	Groshong et al.			
		4,705,501	11/10/87	Wigness et al.			
		4,748,979	06/07/88	Hershenson			
		4,754,752	07/05/88	Ginsburg et al.			
		4,758,431	07/19/88	Osterholm			
		4,769,005	09/06/88	Ginsburg et al.			
		4,795,423	01/03/89	Osterholm			
		4,804,358	02/14/89	Karcher et al.			
		4,819,655	04/11/89	Webler			
		4,830,849	05/16/89	Osterholm			
		4,857,054	08/15/89	Helfer			
		4,873,978	10/17/89	Ginsburg			
		4,892,095	01/09/90	Nakhgevany			
		4,892,519	01/09/90	Songer et al.			
		4,899,741	02/13/90	Bentley et al.			
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<b>UNITED STATES PATENT DOCUMENTS</b>									
*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing Date (if applicable)		
		4,909,252	03/20/90	Goldberger					
		4,920,963	05/01/90	Brader					
		4,941,475	07/17/90	Williams et al.					
		4,963,130	10/16/90	Osterholm					
		4,976,691	12/11/90	Sahota					
		4,981,691	01/01/91	Osterholm et al.					
		4,995,863	02/26/91	Nichols et al.					
		5,011,488	04/30/91	Ginsburg					
		5,019,075	05/28/91	Spears et al.					
		5,030,210	07/09/91	Alchas					
		5,041,089	08/20/91	Mueller et al.					
		5,085,630	02/04/92	Osterholm et al.					
		5,092,841	03/03/92	Spears					
		5,106,360	04/21/92	Ishiwara et al.					
		5,112,301	05/12/92	Fenton, Jr. et al.					
		5,147,385	09/15/92	Beck et al.					
		5,149,321	09/22/92	Klatz et al.					
		5,151,100	09/29/92	Abele et al.					
		5,174,285	12/29/92	Fontenot					
		5,180,364	01/19/93	Ginsburg					
<b>FOREIGN PATENT DOCUMENTS</b>									
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<b>UNITED STATES PATENT DOCUMENTS</b>							
*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing Date (if applicable)
		5,191,883	03/09/93	Lennox et al.			
		5,196,024	03/23/93	Barath			
		5,211,631	05/18/93	Sheaff			
		5,216,032	06/01/93	Manning			
		5,234,405	08/10/93	Klatz et al.			
		5,248,312	09/28/93	Langberg			
		5,250,070	10/05/93	Parodi			
		5,257,977	11/02/93	Eshel			
		5,261,399	11/16/93	Klatz et al.			
		5,269,758	12/14/93	Taheri			
		5,342,301	08/30/94	Saab			
		5,344,436	09/06/94	Fontenot et al.			
		5,368,591	11/29/94	Lennox et al.			
		5,395,314	03/07/95	Klatz et al.			
		5,403,281	04/04/95	O'Neill et al.			
		5,437,633	08/01/95	Manning			
		5,437,673	08/01/95	Baust et al.			
		5,486,208	01/23/96	Ginsburg			
		5,531,776	07/02/96	Ward et al.			
		5,584,804	12/17/96	Klatz et al.			
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<b>UNITED STATES PATENT DOCUMENTS</b>									
*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing Date (if applicable)		
		5,624,392	04/29/97	Saab					
		5,653,692	08/05/97	Masterson et al.					
		5,676,691	10/14/97	Friedman					
		5,678,570	10/21/97	Manning					
		5,716,386	02/10/98	Ward et al.					
		5,733,319	03/31/98	Neilson et al.					
		6,019,783	02/01/00	Philips et al.					
		6,042,559	03/28/00	Dobak, III					
		6,126,684	10/03/00	Gobin et al.					
		6,146,411	11/14/00	Noda et al.					
		6,149,670	11/21/00	Worthen et al.					
		6,149,677	11/21/00	Dobak, III					
		6,245,095 B1	06/12/01	Dobak, III et al.					
		6,287,326 B1	09/11/01	Pecor					
		6,290,717 B1	09/18/01	Philips					
		6,299,599 B1	10/09/01	Pham et al.					
		6,312,452 B1	11/06/01	Dobak, III et al.					
		6,338,727 B1	01/15/02	Noda et al.					
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				First Named Inventor	Machold et al.
				Group Art Unit	Prior: 3736
				Examiner Name	Unassigned
				Attorney Docket Number	RADME- 64795
Sheet	6	of	8		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>1</sup>
		LONG, R., "Regional Cranial Hypothermia in the Prevention of Cerebral Ischemic Damage During Carotid Occlusion," <i>Review of Surgery</i> , May-June 1966, pp. 226-228, Vol. 23, No. 3	
		WHITE, R. et al., "Profound selective cooling and ischemic of primate brain without pump or oxygenator," <i>Surgery</i> , July, 1969, pp. 224-232, Vol. 66, No. 1	
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		SAFAR, P. et al., "Resuscitation after global brain ischemic-anoxia," <i>Critical Care Medicine</i> , July-August 1978, pp. 215-227, Vol. 6, No. 4	
		PING, F.C. et al., "Protection of the Brain From Hypoxia: A Review," <i>Canadian Anaesthetists' Society Journal</i> , November 1978, pp. 468-473, Vol. 25, No. 6	
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		LEONOV, Y. et al., "Mild Cerebral Hypothermia during and after Cardiac Arrest Improves Neurologic Outcome in Dogs," <i>Journal of Cerebral Blood Flow and Metabolism</i> , (1990), pp. 57-70, Vol. 10, No. 1	
		MINAMISAWA, H. et al., "The Effect of Mild Hyperthermia and Hypothermia on Brain Damage Following, 5, 10, and 15 Minutes of Forebrain Ischemia," <i>American Neurological Association</i> , July 1990, pp. 26-33, Vol. 28, No. 1	
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		DIETRICH, W., "The Importance of Brain Temperature in Cerebral Injury," <i>Journal of Neurotrauma</i> , (1992), pp. S475-S485, Supplement 2	

Examiner Signature		Date Considered	
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		GINSBERG, M. et al., "Therapeutic Modulation of Brain Temperature: Relevance to Ischemic Brain Injury," <i>Cerebrovascular and Brain Metabolism Reviews</i> , (1992), pp. 189-225, Vol. 4, No. 3	
		MARTINEZ-ARIZALA, A. et al., "Hypothermia in Spinal Cord Injury," <i>Journal of Neurotrauma</i> , May 1992, pp. S497-S505, Vol. 9, Suppl. 2	
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		SESSLER, D., "Deliberate Mild Hypothermia," <i>Journal of Neurosurgical Anesthesiology</i> , January 1995, pp. 38-46, Vol. 7, No. 1	
		CAPONE, A. et al., "Complete Recovery after Normothermic Hemorrhagic Shock and Profound Hypothermic Circulatory Arrest of 60 Minutes in Dogs," <i>The Journal of Trauma: Injury, Infection, and Critical Care</i> , March 1996, pp. 388-395, Vol. 40, No. 3	
		GISVOLD, S. et al., "Cerebral resuscitation from cardiac arrest: Treatment potentials," <i>Critical Care Medicine</i> , (1996), pp. S69-S80, Vol. 24, No. 2 (Suppl.)	
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		SAFAR, F. et al., "Selective brain cooling after cardiac arrest," <i>Critical Care Medicine</i> , (1996), pp. 911-914, Vol. 24, No. 6	

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		WASS, C. et al., "Hypothermia-associated Protection from Ischemic Brain Injury: Implications for Patient Management, <i>International Anesthesiology Clinics: Topics of Neuroanesthesia</i> , Fall 1996, pp. 95-111, Vol. 34, No. 4	
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Examiner Signature		Date Considered	
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